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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/725,289	12/02/2003	Yasuyuki Hashimoto	ED-US010068A	1823

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EXAMINER

WILLIAMS, ERIC M

ART UNIT	PAPER NUMBER
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3681

DATE MAILED: 05/19/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/725,289

Applicant(s)

HASHIMOTO ET AL.

Examiner

Eric M Williams

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 02 December 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-3,7,11-13 and 17 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-3,7,11-13 and 17 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 02 December 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

1. This action is in response to the divisional application filed 12/02/2003 for serial number 10/725,289.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1-3, 7, 11-13 and 17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hashimoto JP 2000035053A in view of Beccaris '029. To facilitate a better understanding as well as provide a greater accuracy in explaining the following rejection, the Examiner will refer to the English equivalent Hashimoto '575.

Regarding claims 1-3 and 7, Hashimoto discloses a damper mechanism comprising first (2) and second rotary members (3) each having a plurality of teeth, a damper section (8), a friction mechanism (11, 72, 73) having a friction rotary member (11) being configured to contact the second and intermediate rotary members (Fig. 10 shows the circuit diagram that shows the friction rotary member contacting the second and intermediate members), a friction suppressing mechanism having two friction rotary members aligned in the rotational direction (62, 69 shown in Fig. 7)

Hashimoto lacks the specific teaching of an elastic member disposed between the internal teeth and the external teeth. Beccaris (Fig. 6) discloses a damping

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mechanism with an elastic member (36) disposed between internal and external teeth. It would have been obvious to one of ordinary skill in the art at the time of this invention to modify Hashimoto such that it has an elastic member between the external and internal teeth, in view of Beccaris, for the purpose of increasing the dampening properties of the device.

Regarding claims 11-13, and 17, Hashimoto discloses a clutch disk assembly comprising first (2) and second rotary members (3) each having a plurality of teeth, a damper mechanism (8) having a spring member (8) and a torsion characteristic comprising a positive side, a negative side, a first stage, and a second stage (inherent), the damper mechanism having a friction mechanism (11, 72, 73) having a friction rotary member (11) being configured to contact the second and intermediate rotary members (Fig. 10 shows the circuit diagram that shows the friction rotary member contacting the second and intermediate members), a friction suppressing mechanism having two friction rotary members aligned in the rotational direction (62, 69 shown in Fig. 7)

Hashimoto lacks the specific teaching of an elastic member disposed between the internal teeth and the external teeth. Beccaris (Fig. 6) discloses a damping mechanism with an elastic member (36) disposed between internal and external teeth. It would have been obvious to one of ordinary skill in the art at the time of this invention to modify Hashimoto such that it has an elastic member between the external and internal teeth, in view of Beccaris, for the purpose of increasing the dampening properties of the clutch disk.

Conclusion

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Lohaus ('080) and Lohaus et al. '083 both disclose damper mechanisms and Mizukami ('073), Mizukami JP 02000027945A and Mizukami DE 019932967A1 all disclose damper mechanisms with first and second rotary members, a damper section, and a friction suppression mechanism.


7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Eric M Williams whose telephone number is 703-305-0607. The examiner can normally be reached on Mon. - Fri. from 8:00am - 4:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Charles A Marmor can be reached on 703-308-0830. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

EMW




CHARLES A. MARMOR
SUPERVISORY PATENT EXAMINER
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